

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities
LLC and the Chapter 7 Estate of Bernard L.
Madoff,

Plaintiff,

v.

LION GLOBAL INVESTORS LIMITED,

Defendant.

Adv. Pro. No. 11-02540 (CGM)

**STIPULATION AMENDING THE SCHEDULING
ORDER ON JURISDICTIONAL DISCOVERY**

Plaintiff Irving H. Picard (the “Trustee”), as trustee for the substantively consolidated liquidation proceeding of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa–III, and the chapter 7 estate of Bernard L. Madoff,

and defendant Lion Global Investors Limited (“Defendant,” and with the Trustee, the “Parties”), by and through their respective undersigned counsel, state as follows:

WHEREAS, on December 9, 2022, the Court entered a Scheduling Order for jurisdictional discovery (the “Scheduling Order”);

WHEREAS, the Parties have served initial discovery demands and responses and objections and met and conferred numerous times during this ongoing jurisdictional discovery period;

WHEREAS, the Trustee served a 30(b)(6) Deposition Notice on Defendant on May 30, 2023, noticing a deposition for June 29, 2023, on various subject matters and offered to meet and confer;

WHEREAS, Defendant advised that the noticed date of the Rule 30(b)(6) deposition was inconvenient and would provide a written response to the Trustee’s Deposition Notice;

WHEREAS, Defendant served written objections to the Deposition Notice on September 20, 2023 and the Parties thereafter met and conferred on October 18, 2023 to negotiate the 30(b)(6) deposition topics;

WHEREAS, the Parties have exchanged revised 30(b)(6) deposition topics on October 26, 2023 and November 14, 2023 and their negotiations over the deposition topics are ongoing;

WHEREAS, on August 30, 2023, after several months of negotiations between the Parties on the language of the Letters of Request, the Court granted the Trustee’s motions for issuance of Letters of Request and the Trustee has begun the process of seeking non-party witness testimony in Singapore;

WHEREAS, on October 20, 2023, Defendant made its fourth document production to the Trustee and has indicated that it plans to make a fifth;

WHEREAS, on November 10, 2023, Defendant served Amended and Supplemental Responses and Objections to the Trustee's January 23, 2023 Interrogatories;

WHEREAS, the Court previously entered two Orders amending the schedule for jurisdictional discovery on May 12, 2023 and July 5, 2023;

WHEREAS, the Parties continue to work diligently to resolve the current discovery disputes and complete jurisdictional discovery, but agree that additional time is needed;

WHEREAS, the Parties therefore agree to extend the discovery deadlines and the corresponding briefing schedule so that they may effectively complete jurisdictional discovery; and

WHEREAS, the Parties agree to adjourn the December 20, 2023 Status Conference to April 17, 2024.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. In the event the Parties are unable to resolve their discovery disputes, the Parties shall comply with Judge Morris's chamber rules regarding discovery disputes and request a conference with the Court by **April 17, 2024**;
2. The Status Conference scheduled for **December 20, 2023** shall be adjourned to **April 17, 2024**;
3. All personal jurisdiction discovery is to be completed by **June 18, 2024**;
4. The Trustee shall file either a supplemental memorandum in opposition to the motion to dismiss or a motion for leave to amend the complaint by **September 20, 2024**;
5. Defendant shall file an opposition to the Trustee's memorandum or opposition to the motion by **November 19, 2024**; and

6. In the event the Trustee files a motion for leave to amend the complaint, the Trustee shall
file a reply in further support of his motion by **December 19, 2024**.

Date: November 29, 2023
New York, New York

By: /s/ Robertson D. Beckerlegge
Baker & Hostetler LLP
45 Rockefeller Plaza
New York, New York 10111
Telephone: (212) 589-4200
Facsimile: (212) 589-4201
David J. Sheehan
dsheehan@bakerlaw.com
Robertson D. Beckerlegge
Email: rbeckerlegge@bakerlaw.com
Eric R. Fish
Email: efish@bakerlaw.com

By: /s/ Ehud Barak
Proskauer Rose LLP
11 Times Square
New York, New York 10036
Telephone: (212) 969-3000
Facsimile: (212) 969-2900
Ehud Barak
ebarak@proskauer.com
Russell T. Gorkin
rgorkin@proskauer.com
Elliot R. Stevens
estevens@proskauer.com

*Attorneys for Irving H. Picard, Trustee for
the Substantively Consolidated SIPA
Liquidation of Bernard L. Madoff
Investment Securities LLC and the
Chapter 7 Estate of Bernard L. Madoff*

*Attorneys for Defendant Lion Global Investors
Limited*

Dated: November 30, 2023
Poughkeepsie, New York



/s/ Cecelia G. Morris

Hon. Cecelia G. Morris
U.S. Bankruptcy Judge